

worry about what his boss thinks or what his boss's boss thinks.

So I have reached the conclusion reluctantly—because Rod Rosenstein has a very admirable record of public service—that I must vote against his nomination in just a short time because of his failure to commit to a special prosecutor. I have no illusions about convincing my colleagues about joining me to vote on cloture with a degree of realism about the views of this body on his nomination, but I hope he will heed the example of Mr. Richardson in 1973 and also of Jim Comey, who at one point also resorted to a special prosecutor to investigate a controversial matter that arose during President George Bush's administration.

There is clear, unmistakable, bipartisan precedent for a special prosecutor under these circumstances. There is not only precedent, there is historical imperative. At the root of this constitutional crisis is a concern for the rule of law, for preserving the public's faith and trust and respect for our justice system. It is at the foundation of what we do when we vote. When we make laws, we presume they will be rigorously and fairly enforced without fear or favor, and that no official, not even the President of the United States, will be placed above the law. That is the lesson of Watergate, but it is also the lesson established throughout our history, going back to the Founders and the preeminent role played by our U.S. Supreme Court.

I will support Mr. Rosenstein in his efforts to pursue the truth and pursue justice, as I believe he must do, and I hope he will do because the credibility of the Department of Justice and our justice system is so much at stake.

I urge my colleagues to vote against his nomination, as I will do, but I also pledge my support for him and the loyal, dedicated, hardworking members of the Department of Justice if he is confirmed.

Thank you, Mr. President. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Under the previous order, all time is expired.

The question is, Will the Senate advise and consent to the Rosenstein nomination?

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 94, nays 6, as follows:

[Rollcall Vote No. 114 Ex.]

YEAS—94

Alexander	Gardner	Paul
Baldwin	Graham	Perdue
Barrasso	Grassley	Peters
Bennet	Hassan	Portman
Blunt	Hatch	Reed
Boozman	Heinrich	Risch
Brown	Heitkamp	Roberts
Burr	Heller	Rounds
Cantwell	Hirono	Rubio
Capito	Hoeven	Sanders
Cardin	Inhofe	Sasse
Carper	Isakson	Schatz
Casey	Johnson	Schumer
Cassidy	Kaine	Scott
Cochran	Kennedy	Shaheen
Collins	King	Shelby
Cooms	Klobuchar	Stabenow
Corker	Lankford	Strange
Cornyn	Leahy	Sullivan
Cotton	Lee	Tester
Crapo	Manchin	Thune
Cruz	Markey	Tillis
Daines	McCain	Toomey
Donnelly	McCaskill	Udall
Duckworth	McConnell	Van Hollen
Durbin	Menendez	Warner
Enzi	Merkley	Whitehouse
Ernst	Moran	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	Young
Flake	Murray	
Franken	Nelson	

NAYS—6

Blumenthal	Cortez Masto	Harris
Booker	Gillibrand	Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDER

The PRESIDING OFFICER. The Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

Mr. HOEVEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act

requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, Room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-18, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to Canada for defense articles and services estimated to cost \$195 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREG KAUSNER,  
(For J.W. Rixey, Vice Admiral,  
USN, Director).

Enclosures.

TRANSMITTAL NO. 17-18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Canada.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$ 0 million.  
Other \$195 million.  
Total \$195 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.  
Non-MDE: Non-MDE items and services under consideration for sale are follow-on support for five (5) CC177 aircraft (Canada's designator for the C-17), including contractor logistics support (CLS) provided through the Globemaster III Integrated Sustainment Program (GISP), in-country field services support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, publications and technical documentation, and other U.S. Government and contractor engineering, logistics and program support.

(iv) Military Department: Air Force (QCR).  
(v) Prior Related Cases, if any: CN-D-QZZ—\$1.3B—15 Nov 06.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 19, 2017.